

REMARKS

Applicant respectfully requests reconsideration of the rejection of this application as examined pursuant to the office action of October 28, 2008. In the office action, Claims 19-36 were examined. Claims 19-36 remain pending after this amendment.

Claims 19-36 were rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. The prior objections and rejections to the claims were withdrawn and the claims as entered in Applicant's July 25, 2008, communication were considered to be allowable in view of the cited art, provided the written description rejection was successfully traversed.

In response to the assertion made in the October 28, 2008, office action that certain limitations included in independent Claim 19 are not described in the Specification, Applicant respectfully suggests that such limitations are fully supported by the Application as originally filed April 24, 2000, and the Amendment filed July 23, 2002. In particular, original Claim 2 refers to conducting agent searches to protect the personal privacy (identity) of the individual for whom the scan is being performed. Original Figure 1 discloses a privacy oriented meta data access and collection device, which serves to allow persistent scanning without providing identity information associated with the individual for whom the scanning is performed. Further, Claim 2 of the 2002 Amendment describes a replication memory (database) to allow for receiving persistent updates of scans, which replicate memory allows for storage of a persistent replica of a subject database for private and secure analysis of that subject database, which ensures the subject database cannot observe the analysis. This ensures that the scanned database cannot identify the specific target of the scanning. Moreover, Claim 4 of the 2002 Amendment describes as a feature of the invention the concept of carrying out scans using assumed or fictitious identities so that the subject of the scan cannot detect the true identity of the individual for whom the scan is being performed. Applicant respectfully suggests that at least original Claim 2, Figure 1, and 2002 amendment Claims 2 and 4 fully support the limitations of "wherein the persistently scanning is performed without notifying the subject of the scanning identity information of the one or more individuals" and "to ensure that the one or more databases scanned cannot identify the specific target of the scanning."

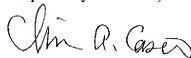
While Applicant respectfully suggest that the indicated portions of the original and amended Specification fully meet the written description requirement under 35 USC § 112, first paragraph, to support the language of independent Claim 19, the Specification is hereby amended to bring those different portions together in a common paragraph. The language of this Specification amendment is fully supported by the noted portions of the Specification as amended in 2002. Any additional language included is done for the limited purpose of clarity and adds no new subject matter.

In view of the limited amendment made to the Specification and the remarks provided herein, Applicant respectfully suggests that the pending claims of the Application are fully supported by the written description of the invention. Therefore, the 35 USC § 112, first paragraph, rejection of Claims 19-36 has been successfully traversed. Withdrawal of that rejection is hereby requested.

CONCLUSION

In view of the amendment and remarks presented herein, Applicant respectfully suggests that the rejection of the claims has been successfully traversed. Applicant hereby requests that the application be allowed to pass to issuance. Applicant notes that no new claims have been added by this request. Therefore, no additional filing fee is required.

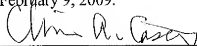
Respectfully submitted,



Chris A. Casciro, Reg. No. 34,304
Attorney for Applicant
Verrill Dana, LLP
One Portland Square
Portland, ME 04112-0586
Tel. No. 207-253-4530

Certificate of Transmission

I hereby certify that this correspondence is being transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, using the Patent Office's EFS-Web service on February 9, 2009. It is hereby requested that this communication be assigned a filing date of February 9, 2009.

A handwritten signature in black ink, appearing to read "Chris A. Caseiro", is written over a horizontal line.

Chris A. Caseiro